



Hollidaysburg Area School District

405 Clark Street • Hollidaysburg, PA 16648-2100

Phone: 814-696-4454 Fax: 814-695-2315

August 5, 2019

VIA EMAIL: 76914-00131243@requests.muckrock.com

Ms. Caroline Haskins
49 South Second Street
Brooklyn, NY 11249

RE: Right-to-Know Request for Gaggle Services

Dear Ms. Haskins:

As you are aware, the Hollidaysburg Area School District recently imposed a thirty (30) day extension of time, under 65 P.S. §67.902(a)(5) and (7), in order to respond to your Right-to-Know Request for information pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §67.101, et seq. ("RTK Law"). A response was required to your attention on or before August 19, 2019. Your request sought the following information:

1. Any documents associated with the purchase of Gaggle services for the School District.
GRANTED – See attachments (2)

2. The total number of students in the District that had been flagged for "signs of self-harm, depression, thoughts of suicide, substance abuse, cyberbullying, unhealthy relationships, and credible threats of violence against others."
GRANTED - 311

3. The number of students that were flagged for each respective warning sign category listed above.

GRANTED

PSS - Possible Student Situation - 16 for the 18-19 school year

An immediate threat to a student, including student-produced pornography, violence, suicide, self-harm, bullying, rape or harmful family situations.

QCON - Questionable Content - 196 for the 18-19 school year

Not an immediate threat to a student, but cause for concern and brought to an Emergency Contact's attention.

User Violations - 302 for the 18-19 school year

Minor profanity, insulting language or inappropriate images.

Office of the Superintendent
814-695-8702

Offices of the Business Administrators
814-695-7431

4. Any School District emails that discuss disciplinary action or an administrative response to student behavior on Gaggle.

DENIED – This information is exempt.

Please consider this correspondence the final response to your request. Your request is granted in part and denied in part. To the extent your request has been granted, your documents are enclosed.

To the extent that your request has been denied, please be advised that documents responsive to Item 4 are exempt from disclosure by Sections 708(b)(10)(i) and/or (30), pertaining to records that constitute internal, predecisional deliberations between agency employees, and records pertaining to minors, respectively, as well as the Family Education Rights and Privacy Act ("FERPA"). 20 U.S.C. § 1232g. The responsive records are education records containing both personally identifiable information and information directly related to District students and student discipline. The Office of Open Records has previously held that student discipline records are protected from disclosure under FERPA. *See* Chirico v. Cheltenham Sch. Dist., OOR Dkt. AP 2018-0861 (concluding that records related to student discipline are education records under FERPA). Thus, the responsive records are prohibited from release under FERPA, in the absence of requisite consent by the parent or eligible student, and thereby would be prohibited from release under the Right-to-Know Law as well. *See* 65 P.S. §67.102 (defining Public Record as a record that is not exempt from disclosure under any other Federal or State Law or Regulation).

You have the right to appeal the foregoing partial denial of information in writing to Erik Arneson, Executive Director, Office of Open Records, Commonwealth Keystone Building, 333 Market Street, 16th floor, Harrisburg, PA 17101. If you choose to file an appeal, you must do so within fifteen (15) business days of the mailing date of the Agency's response, as outlined in Section 1101 of the Right-to-Know Law. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Should you have any questions regarding this letter, please contact the undersigned Open Records Officer.

Sincerely,



Dr. Robert J. Gildea, Open Records Officer
Superintendent of Schools
405 Clark Street
Hollidaysburg, PA 16648
814-695-8702
robert.gildea@hasdtigers.com

Cc: Attorney Ronald N. Repak